

STATE BOARD OF APPORTIONMENT

PUBLIC HEARING

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TUESDAY, NOVEMBER 21, 2000

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City of Jonesboro Council Chambers
Annex Room
900 West Monroe
Jonesboro, Arkansas

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P R O C E E D I N G S

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MONDAY, NOVEMBER 21, 2000

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MR. CRANE: I am Larry Crane. I work for Attorney General, Mark Pryor. And as you all are probably aware, the State Board of Apportionment is composed of three constitutional officers. It is the Attorney General, the Governor who is actually the Chair of the Board, and the Secretary of State.

And this round of hearings, the Board of Apportionment has sent out staff members across the state. We are going to do, I think, 13 of these public hearings to find out what you all would like in the next round of redistricting.

Now, today, we have with us Tim Humphries, who is with the Secretary of State, Sharon Priest. And Ron Sheffield, who is housed with them, at least at this point, and Ron is the person who is actually going to be the coordinator for the Board of

1 Apportionment, and he will be manning the
2 office. There is an office just across from
3 the State Capitol Building in the AEGON
4 Building where Ron and at least one other
5 employee will be for the duration of the
6 process. They have just recently moved in
7 over there and now are setting up the
8 computer equipment and are in business, as
9 we speak.

10 From the Governor's office today, we
11 have Beth Ann Rankin and Christy Rogers, who
12 will be working on the project, also, in
13 addition to several other people from the
14 Governor's office.

15 The State Board of Apportionment will be
16 working with numbers from the census that
17 was recently completed. It happens every
18 ten years, as you all know, and right now,
19 as we speak, the final numbers from that
20 census project have not been tabulated, and
21 we do not have final numbers to talk about.
22 The best that we have is last year, in 1999,
23 the Census Bureau put out some estimated
24 numbers, and they are just estimated numbers
25 where they projected forward the 1990 census

1 numbers and took them to 1999.

2 We have, as one of the handouts that you
3 all picked up on your way in, those numbers
4 available for you. And they should give you
5 a rough idea of where your county is, as far
6 as what percentage growth you might be
7 looking at, or in some counties over here,
8 what percent loss in population you might be
9 looking at for the comparisons between 1990
10 and 1999.

11 Obviously, those numbers will not be
12 exactly what we will be looking at in this
13 particular process, because there will be
14 some variations, all over the state between
15 1999 estimates and real hard 2000 numbers.
16 But it should be close enough for some of
17 the people who work with the process at a
18 county level to get some idea of where they
19 are heading.

20 This year, it appears from all we can
21 tell, that the size of State Representative
22 districts will increase to about 25,000
23 population, and the size of State Senate
24 districts will increase to about 72,000.
25 Now, last time, Tim, it was 23,000 --

1 MR. HUMPHRIES: 25,000.

2 MR. CRANE: -- and 67,000. So, the
3 populations in the various districts will go
4 up. What that means for parts of this part
5 of the state, because you do have counties
6 over here who have literally lost -- it
7 appears, have lost population, is that the
8 size of the districts is going to have to
9 grow, as opposed to staying the same or even
10 shrinking, if you all have gained
11 population.

12 Jonesboro is growing, and we don't know
13 exactly what the impact. Jonesboro and
14 Pocahontas is growing, for sure. And
15 Blytheville may be holding steady. But we
16 don't know exactly what the relationships
17 are going to be in those areas to talk in
18 any detail about those things.

19 Let me briefly tell you the time
20 schedule that we are looking at as far as
21 getting things done. The US Census Bureau
22 has told us that they will have county
23 numbers, on a county-by-county basis, none
24 of the detail that we will need, and quite
25 honestly the counties will need, to do the

1 redistricting of JPs and such. But they
2 will have countywide numbers to the point
3 that the legislature can redistrict the
4 Congressional districts early after the
5 first of the year, hopefully in January, but
6 probably in February.

7 So, that should enable the legislature
8 to the go ahead and do its job and get the
9 Congressional districts redrawn. And there
10 will be some shuffling going on, because we
11 have changes in population, with a lot of
12 moment to the north and growth. The Census
13 Bureau has also told us that by March 31st,
14 they will have the detailed numbers to the
15 states. Now, we all know that promises
16 don't necessarily get kept, and
17 realistically we are looking at the middle
18 of April as being the date that we truly
19 expect things to be in our hands, once we
20 get the actual details and the numbers.

21 And by the way, the basic demographic
22 district this time -- in 1990 and 1991, the
23 building block was the township level on all
24 of our districts. This time, the Census is
25 going to give us precinct level information.

1 Now, over here, you all -- that may -- there
2 may not be that much different between
3 precincts and townships. But in more
4 populous areas of the state, the precinct
5 level is a much smaller piece to work with,
6 which should give us a lot more accuracy in
7 drawing lines than has ever been possible
8 before.

9 Middle of April, we will get the numbers
10 in, and it will take probably several weeks
11 to get the numbers meshed with the computer
12 system that we will be using. And Tim
13 Humphries is going to give you all a
14 demonstration of the new computer software
15 that we will be using. And it is really
16 neat, it is good stuff, we think, and a vast
17 improvement over what we have ever had to
18 do the job.

19 So, about the first of May, we will
20 actually be able to start drawing lines and
21 putting information into the computers. By
22 the end of June or so, we should be making
23 headway. At that point, in all probability,
24 the Board of Apportionment will meet to make
25 some preliminary decisions, to set ground

1 rules and whatever. By the end of July or
2 mid of August -- mid August, hopefully,
3 there would be a plan in place that the
4 Board of Apportionment has at least looked
5 at to say, "This is a good start."

6 And we would be able to come back
7 through and have a series of public hearings
8 that would allow everyone to speak out, to
9 look at the actual proposal and make
10 comments, whether good or bad, you know,
11 "This is good thing you have done," or "This
12 is the dumbest thing we have ever seen."
13 But the goal is to have everyone have that
14 opportunity.

15 Just one second, let me add one piece to
16 this. The new computer system that is being
17 installed will have the capability to have
18 on the Internet the plans as they get drawn,
19 as things get solidified, so that anyone in
20 the State of Arkansas can go to the computer
21 site that is set up for the Board of
22 Apportionment, and Tim will go into that,
23 and look at their area and see exactly what
24 the thinking is, long before we ever come
25 back to have a public meeting like this, so

1 that everyone can know what the problems are
2 with it, and be ready to walk in and say --
3 you know, and point to the map and say,
4 "This doesn't make sense, because of this or
5 that."

6 It is my understanding that in 1991, in
7 the round of hearings that was held then,
8 the second round of hearings, the Board of
9 Apportionment actually took the information,
10 the comments that were made, went back to
11 Little Rock and incorporated a number of the
12 suggestions that were made into the final
13 plan that was adopted.

14 Theoretically, we are shooting to have
15 a plan adopted and ready to go by August,
16 the end of August of next year. Now, no
17 specific dates have been set, and those are
18 just talking dates. We do know that we have
19 to allow time for whatever plan is adopted
20 to have 30 days prior to the November date,
21 which is one year out, and is the date where
22 legislators get real interested about being
23 in the right spot. We need to have 30 days
24 before that to allow any appeals that may be
25 lodged, any litigation to be filed on the plan.

1 And as good a job as we do, as fair as
2 we try to be, we figure that there will be
3 litigation that will happen. There was last
4 time, and there probably will be again. But
5 it will all fall out. Tim, what am I
6 forgetting on this end of things?

7 MR. HUMPHRIES: (No response.)

8 MR. CRANE: What I would like to do
9 before we turn it open, and the real purpose
10 of us being here, remember, is to let you
11 all make comments on what you want in this
12 part of the world as far as the way
13 districts should be drawn, the philosophical
14 pieces that should go into the districts,
15 whether you should have, for example,
16 multimember districts is an issue that you
17 all may have some interest, either for or
18 against, that is what we are here to hear.
19 But we also want to show you some of this
20 stuff. And right now, let me turn it over
21 to Tim Humphries in the Secretary of State's
22 office to show you the software that we are
23 talking about. Tim?

24 MR. HUMPHRIES: All right. Before we
25 get into that, I would like to tout our

1 website a little bit. There is the address,
2 and it is www.state.ar.us/arkdistrict, and I
3 think that slash is going the right way.

4 MR. CRANE: I think it is.

5 MR. HUMPHRIES: Okay.

6 MR. SHEFFIELD: Back slash.

7 MR. HUMPHRIES: Back slash.

8 MR. CRANE: It should be a back slash.

9 MR. HUMPHRIES: It should be a back
10 slash. Try them both, if you don't get it.
11 And we would appreciate it if you would look
12 at that. I think there is a lot of good
13 information. I think there is some stuff
14 that you will find useful on that website.
15 And one of the things that is on there is a
16 page for public comments. Again, to
17 reiterate what Larry said, we are here to
18 hear what you all have to say.

19 But after you leave, in case there is
20 something that you think about, or if you
21 are talking to friends, you might point out
22 to them that this is there. And that is a
23 web page where there are -- that you can
24 read the comments that have already been
25 made, and there is a dozen or so on there

1 already that people have sent us.

2 MR. CRANE: Let me break in and comment
3 that if you go to the overall State of
4 Arkansas page, website, which you can find
5 with a search with the State of Arkansas,
6 there is a link from there to this website.
7 There is a link from the Secretary of
8 State's website to this. There is a link
9 from the Governor's website to this. There
10 is a link from the Attorney General's
11 website to this. So, it is -- it should be
12 fairly easy to find the website, even if you
13 can't get the address off of what we have
14 just given you.

15 MR. HUMPHRIES: And as you can see
16 there, there is a place to fill in your
17 name. I don't think any of these fills are
18 mandatory, are they?

19 MR. SHEFFIELD: No.

20 MR. HUMPHRIES: You don't have to give
21 us your name, but if you are going to make a
22 comment, it would certainly be helpful to
23 have at least the city that you are in and
24 the county, because it is -- but like I say,
25 most folks have freely given us that

1 information. And we would appreciate you
2 all using this. All right.

3 MR. SHEFFIELD: You might tell them that
4 certain words have been blocked out, that
5 you can't call us a bunch of dirty names,
6 because they are going to be all blocked
7 out.

8 MR. CRANE: We do that, Ron?

9 MR. HUMPHRIES: They said all that stuff
10 in Rogers, so don't worry about that. This
11 is the software that we are using, it is
12 auto.Bound redistricting software, it runs
13 on -- in Arkview platform, whatever that
14 means. That is another kind of software
15 that -- Arkview is a GIS software,
16 Geographic Information Systems. And
17 auto.Bound runs on that, and it uses -- it
18 uses Arkview to help us draw these
19 districts.

20 What you see up there is a map of this
21 general vicinity at the township level. And
22 as you will recall, that is the way that we
23 drew the lines last time. Our basic
24 building block was the township. Now, we
25 did, in some instances, use precincts, and

1 we did, in some instances, as many of you
2 here well know, we split precincts. And I
3 can't promise you that we are not going to
4 do that this time.

5 But I can tell you this, this Board of
6 Apportionment and this staff is more aware
7 of some of the issues facing folks at the
8 local level, that would be the County
9 Clerks, the Boards of Election
10 Commissioners, the Election Coordinators.
11 And we now have a better understanding about
12 what you all go through when we carve up
13 precincts three different ways, which we did
14 in some areas. I mean, we had -- there are
15 some areas of the state where we have
16 Representative lines that cross Senate lines
17 that cross judicial subdistricts.

18 So, we are aware of that and we are
19 sensitive to it, and if there is anything we
20 can do, at least we are going to be drawing
21 these lines with those kind of things in
22 mind this time, and try to do it in a way
23 that it makes it easier for the folks at the
24 local level.

25 You can see this software is very

1 flexible, just with the click of a mouse I
2 can go down to the precinct level. And like
3 I say, that is going to be our basic
4 building block. And you can see that some
5 of the precinct lines don't exactly coincide
6 with the township boundaries. Some of them
7 do. I mean, for the most part, rural
8 township lines are precinct lines. But
9 obviously, when you get into towns and
10 cities, you have got different precinct
11 issues that come up.

12 So, that is -- like I say, that is
13 basically what we are going to be doing.
14 Maybe this will work for you here. And I
15 will show you and give you an example of how
16 easy it is going to be. And I tell you,
17 what makes this easy also makes it hard for
18 us. I think what I am going to do is assign
19 this precinct. Let's say that we
20 are starting on the process and we see that
21 district 77 has too many people and
22 district 78 has not enough, so I pick out
23 that precinct to put in there and, bam,
24 there it is.

25 MR. CRANE: It is done.

1 MR. HUMPHRIES: And down here, I have
2 the numbers -- let me see if I can get that
3 back. Now, that is the numbers, and we can
4 keep up with how the numbers change. On
5 this, we have got the various racial
6 breakdowns, we can also identify those
7 precincts. Let's see what precinct that
8 was. Let's look at that one.

9 MR. BRODEL: What percentage of
10 fluctuation have you -- are you allowed?

11 MR. HUMPHRIES: We are a ten percent
12 variance. We have got to draw these
13 districts, that is our main -- that is one
14 of our main criteria. And it is sort of an
15 inflexible criteria for us, all of these
16 districts have to be within ten percent of
17 each other.

18 MR. BRODEL: That is a pretty good
19 spread.

20 MR. HUMPHRIES: What we shot for and
21 what we achieved back in '91 was, the
22 biggest district was like plus 4.7 percent,
23 and the smallest district was like minus
24 four point whatever percent.

25 MR. BRODEL: Okay.

1 MR. HUMPHRIES: And so, what you do is,
2 you take that -- the biggest one and the
3 smallest, and throw out the plus and minus
4 signs and then you have whatever --

5 MR. BRODEL: You are talking from the
6 top to the bottom, ten percent?

7 MR. HUMPHRIES: That is right.

8 MR. BRODEL: Okay.

9 MR. HUMPHRIES: And you can see that we
10 have got all of the breakdowns, the total
11 population racial breakdowns, the age
12 breakdowns, all that we need to figure out
13 our business. We are going to have work
14 stations -- we are shooting, at least, to
15 have work stations using this software set
16 up in Monticello, Little Rock and
17 Fayetteville. Monticello has a GIS program
18 at UAM. Little Rock, we are going to have a
19 system set up at the State Data Center,
20 which is out at UALR.

21 And after our work is done on
22 legislative redistricting, we will make that
23 a -- some work station available in our
24 reapportionment office, and also at
25 Fayetteville at the Center for Advanced

1 Spacial Technology, where we are going to
2 allow folks from the counties to come in
3 and -- the County Land Commission, for
4 instance, to come in and maybe help them
5 draw some JP districts. We are going to
6 offer Advanced Technology, make that
7 available to them.

8 But eventually, what our office, the
9 Secretary of State's office is trying to do
10 is have a website that is one-stop shopping.
11 If you want to know what electoral district
12 you live in to elect a State Representative,
13 a State Senator, a judge, a member of your
14 School Board, a City Councilman, whatever,
15 we are going to have maps on the Internet
16 for that, and they are going to be
17 addressable maps.

18 And eventually -- now, our first goal,
19 obviously, is to get this redistricting
20 done. But eventually, all of that is going
21 to be available on the computer and, you
22 know, a person could call our office and
23 find out that sort of information.

24 MR. HAWKINS: Now, you are going to be
25 setting the work stations up after the Board

1 finishes their work?

2 MR. HUMPHRIES: We believe that UAM and
3 CAST and the State Data Center will be set
4 up during the time that we are doing our
5 work. I think, though, that most JP
6 districts aren't drawn until after the Board
7 of Apportionment gets through. And I know
8 some are, but --

9 MR. SHEFFIELD: Tim, they need to
10 identify themselves.

11 MR. HUMPHRIES: Yes. That is -- Jeff,
12 you need to identify yourself for the Court
13 Reporter.

14 MR. HAWKINS: Oh, I am Jeff Hawkins.
15 But the timing is -- I have been involved,
16 as you know, with districts all the way
17 down.

18 MR. HUMPHRIES: Yes, right.

19 MR. HAWKINS: But the timing, I think
20 it would be helpful if there is some
21 guidance given to local as far as the timing
22 goes.

23 MR. HUMPHRIES: Right.

24 MR. HAWKINS: Because it is a problem
25 when they apportion or redistrict at the

1 local level, and then yours comes in and
2 starts splitting those.

3 MR. HUMPHRIES: Right.

4 MR. HAWKINS: And if they can give some
5 guidance on the timing about from the top
6 down, I think it would be a lot easier on
7 themselves than to do it afterwards.

8 MR. HUMPHRIES: That is one of those
9 issues -- that is one of those issues that
10 we are real sensitive to this time. And
11 you know, in '91, the plan wasn't actually
12 filed until January of '91. JP districts
13 have to be done by the middle of January, I
14 think, or it is February?

15 MR. SHEFFIELD: January.

16 MR. HUMPHRIES: Yeah, in '91. So, that
17 is one reason that we are shooting to get
18 this process over as quick as possible. We
19 are going to do our work as quick as we
20 possibly can, and try to get the Board --
21 you know, try to get a plan adopted late
22 summer, early fall, something like that, so
23 that you can time it like that, and when you
24 go in to draw your JP districts, then you
25 will know where these lines are, and it will

1 help with precincting, you know.

2 MR. HAWKINS: Oh, yes.

3 MR. HUMPHRIES: The folks who work in
4 elections here know what I am talking about.
5 I mean, that is a real tough issue.
6 Mississippi County, for instance, it has
7 been a very tough issue up there for them,
8 because they have judicial subdistricts,
9 too. And that does make it tough. So, I am
10 just going to open the floor now to anybody
11 that has got any comments or questions or
12 anything.

13 MR. HAWKINS: Jeff Hawkins again. Larry
14 was talking about numbers and deadlines, and
15 I would like to know which numbers you are
16 going to use.

17 MR. HUMPHRIES: Well, we don't know
18 that, yet.

19 MR. HAWKINS: Maybe you should explain
20 that.

21 MR. HUMPHRIES: That is a good point.
22 The census that -- the plan of the
23 Department of Commerce, now, the Census
24 Bureau, is to release two sets of numbers, a
25 set of the actual count, they call it, and

1 then the adjusted set. And it is kind of
2 interesting, when they sent us the letter
3 asking us what format we wanted to order the
4 numbers in, they said, "In what format do
5 you want the adjusted numbers?" So, there
6 is a presumption, I think, by the Census
7 Bureau that the adjusted numbers are what is
8 going to be used by the states to do this
9 job.

10 And then, as an afterthought, sort of,
11 they said, "Oh, no, by the way, if you want
12 actual counts, too, you need to tell us
13 that." So, they are sending out both sets.
14 There is some litigation now involving the
15 State of Virginia, the State of Virginia and
16 the State of Arizona that we think will
17 clarify the issue for us somewhat as to what
18 has to be used.

19 This presidential election could also
20 come into play in. In 1990, we got -- we
21 had a situation where they presidentially
22 appointed -- the Secretary of Commerce
23 overrode a decision by the Census Bureau to
24 release just adjusted numbers, and the
25 Secretary of State and the Secretary of

1 Commerce decreed that, "No, you are not
2 going to release just adjusted numbers, as a
3 matter of fact, you are not going to release
4 adjusted numbers at all." And all they sent
5 us was the actual count, so that is all we
6 have had.

7 MR. CRANE: Right.

8 MR. ALLISON: Just real quick, you know,
9 to explain. I feel that everybody in here
10 knows -- I am State Representative Jerry
11 Allison. But I didn't realize until we got
12 into this that there was actual and
13 adjusted. Explain the difference between --
14 actual, we know what actual is.

15 MR. HUMPHRIES: Right.

16 MR. ALLISON: Explain adjusted.

17 MR. HUMPHRIES: Actual is everybody that
18 they actually count. Adjusted is -- comes
19 about because the Census Bureau knows that
20 they don't actually count everybody.
21 Everybody agrees with that. So, what they
22 do is, they take a statistical sample. They
23 go into certain -- as I understand it, they
24 go into certain areas and they do a real
25 intensive count and find out how many people

1 were missed. And then, they apply a
2 mathematical formula, you know, according to
3 that area that they looked at in a
4 countywide and a statewide basis, and they
5 do adjusted numbers based on that.

6 So, it is the actual count multiplied by
7 some factor that the Census Bureau will have
8 determined represents the under-count. And
9 like I said, there is no question but that
10 there is an under-count. I think the
11 question comes in with regard to how they
12 arrive at that mathematical formula that
13 they come up with.

14 MR. CRANE: I think that it is also, you
15 know, useful to understand that neither way
16 is actually a reality. They don't count
17 everybody with the actual count, and the
18 numbers that they project to come up with
19 the adjusted count are wrong. And the only
20 question is, which is more wrong, and what
21 are the affects as they are doing it?

22 MR. ALLISON: Would the adjusted --
23 State Representative Allison again. Would
24 the adjusted count benefit certain areas
25 more than it would other areas?

1 MR. HUMPHRIES: Probably so.

2 MR. CRANE: Probably.

3 MR. ALLISON: As in what? Give me an
4 example.

5 MR. HUMPHRIES: Well, it is hard to know
6 until they do it. I think I could have been
7 able to tell you that exactly if they had
8 released the adjusted numbers last time, and
9 we could have seen where it shook out. But
10 you know, I just don't know. Those numbers
11 didn't come out, so it is really impossible
12 to tell. I think areas with high poverty
13 rates, minority populations, those kinds of
14 things tend not to get counted as accurately
15 as other areas. But we also know that -- I
16 mean, there is just a lot of people that get
17 their backs bowed up about the census, and
18 don't fit --

19 UNIDENTIFIED LADY: Right.

20 MR. HUMPHRIES: And don't fit into those
21 categories. So, you know, it is really hard
22 to -- there is no way to know until we
23 actually see something.

24 MR. ALLISON: Thank you.

25 MR. HUMPHRIES: And like I say, that is

1 a decision that the Board is going to have
2 to make. That is a decision that the Board
3 really hasn't thought much about at this
4 point, yet. And it is a decision the Board
5 probably won't make until some of this
6 litigation has gone through the courts, and
7 we might can get some guidance without
8 having to do anything.

9 I mean, obviously, for Arkansas, there
10 is going to be a pretty good size
11 under-count. And I say "obviously", I think
12 that is the standard thinking, is that
13 under-count is going to be pretty large.
14 And I would think our legislature, you know,
15 just our government, is going to want to use
16 those adjusted numbers for purposes of
17 turn-back, and things like that, because
18 most other states will.

19 But like I say, there is -- to me, it is
20 still up in the air whether we will actually
21 get adjusted numbers. I mean, that is not a
22 done deal. And a lot may depend on this
23 presidential election.

24 MR. SHEFFIELD: Tim, Congressional is
25 actual.

1 MR. HUMPHRIES: Go ahead.

2 MR. SHEFFIELD: I was just going to say,
3 Congressional districts use the actual
4 count. They don't have the choice of using
5 the adjusted, so, for our four Congressional
6 offices, it is the actual count, whatever it
7 may be.

8 MR. HUMPHRIES: Well, they use the
9 actual count to make the apportionment.

10 MR. SHEFFIELD: Right.

11 MR. HUMPHRIES: Just to determine how
12 many Representatives each state has. It is
13 an open question as to which set of numbers
14 you actually use to draw them. I mean,
15 presumably, you would have to use the same
16 numbers to draw them as you did to use the
17 actual count. I think that is probably what
18 the courts are going to require, but that
19 question has not been addressed by the
20 courts, yet. And, Jeff, do you have
21 another?

22 MR. HAWKINS: Well, I --

23 MR. ALLISON: I have one more.

24 MR. HAWKINS: I was just going to say
25 that -- is it conceivable that the State

1 Board could use one set of numbers and
2 locally you could use a different set of
3 numbers?

4 MR. HUMPHRIES: Yes.

5 MR. HAWKINS: Absent the legislature
6 taking some action?

7 MR. HUMPHRIES: That is conceivable, it
8 sure is. I can see that happen.

9 MR. HAWKINS: Thank you.

10 MR. ALLISON: I have another question.
11 And we are getting off of the count, but
12 multimember districts, there is pluses and
13 minuses about it. You know, I feel like
14 that where you have a multimember -- we are
15 in a multimember district. Paul Bookout and
16 I are State Reps for this area. And I feel
17 like that, you know, that is not too bad
18 where you have two. But where you have got,
19 like over at Fort Smith, and you have three
20 over there, it is very confusing to people.
21 How many multimember districts are there in
22 Arkansas? Are there just two or are there
23 three?

24 MR. HUMPHRIES: There are three.

25 MR. ALLISON: There are three.

1 MR. HUMPHRIES: Here in Jonesboro, Hot
2 Springs, and Fort Smith.

3 MR. ALLISON: And you know, it is -- you
4 know, where you have two, it is not that
5 confusing. Although, when I first ran,
6 people voted for Bobby Hogue, who was on the
7 same ticket that I was on, and they looked
8 down there, and they thought, "Well, we are
9 going to vote for Hogue," and they said, "We
10 didn't see your name on the ballot." So, it
11 was confusing.

12 And you know, I was able to win anyway,
13 but the fact was, you know, multimember
14 districts are a bit confusing. But I feel
15 like that, you know, two is not that bad,
16 but when you get into three, it just -- you
17 have got a lot of -- you get a lot of
18 cross-over.

19 Whether it is -- you know, all Democrats
20 voting for, you know, both, you know, "Hey,
21 we are going to get both our guys in there,"
22 or all Republicans voting, "We are going to
23 get all of our guys in there." Like over in
24 Northwest -- I mean, Fayetteville -- excuse
25 me, Fort Smith, there was two Republicans

1 elected and one Democrat elected this last
2 time. And that is a multimember district.

3 But it is just -- it is kind of, when
4 you are out there campaigning, and like over
5 there in Fort Smith, when you are out there
6 campaigning, not for 22,000 or 24,000
7 people, you are campaigning in that district
8 over there for 75,000 people.

9 MR. HUMPHRIES: 75,000.

10 MR. ALLISON: And it costs you a fortune
11 to do that. Even here in Craighead County,
12 where we have, you know, a multimember
13 district, I am not campaigning for 24,000
14 people, I am campaigning for, you know,
15 48,000 people. So, it makes a difference on
16 your campaign and how your race is run.

17 But I notice with larger cities, it
18 does -- it is a problem with, you know,
19 making -- you know, like I say, I talked to
20 a man the other night, and he said, "I want
21 you to know something," he said, "I am proud
22 of the good work you have done," and he
23 said, "I want you to know that the last
24 campaign -- this the last election, I voted
25 for you and I voted for Bobby Lee Trammell,

1 also." And we are not even in the same
2 district.

3 UNIDENTIFIED MAN: We are.

4 MR. ALLISON: Oh, we are? Okay. I
5 didn't know that. But that is what I am
6 saying, you know, that --

7 UNIDENTIFIED MAN: You got some of my
8 ballots, though.

9 MR. ALLISON: You know, and some people
10 -- you know, it is confusing on multimember
11 districts. What are you all's ideas, or
12 what input have you had on multimember
13 districts?

14 MR. HUMPHRIES: In Fort Smith is the
15 only multimember district town that we have
16 been to, and there were mixed opinions on
17 it, quite frankly. I mean, we got as many
18 pro as we did con. Some people were in
19 favor it of it, and some folks were in favor
20 of continuing it, and some folks were
21 against it. We don't really have any
22 thinking on it, yet. We are here to hear
23 from the local folks to see what they think
24 about it.

25 So, and again, in this forum, the

1 comment page on the web page, and mail and
2 telephone, we would sure like you hear what
3 folks have to say about that.

4 MR. BRODEL: I am Hubert Brodel, and I
5 was a little bit concerned when you said we
6 wouldn't get the count until April. I
7 talked to the Census Bureau yesterday in
8 Washington, and they assured me we were
9 going to have it the 30th of December.

10 MR. CRANE: That would be the overall
11 countywide number. You won't have the
12 detail on it.

13 MR. BRODEL: Well, it is supposed to be
14 -- they gave me indication that they would
15 have a breakdown of the cities and counties,
16 both.

17 MR. HUMPHRIES: And I hope that is
18 right.

19 MR. CRANE: We would be --

20 MR. BRODEL: I am just telling you what
21 they told me yesterday.

22 MR. HUMPHRIES: Right.

23 MR. BRODEL: But you know, when I see
24 it, I will believe it.

25 MR. CRANE: We would be very pleased if

1 that came about.

2 MR. HUMPHRIES: Now, that would be real
3 unusual for them to do that, but I hope that
4 is right. We are just not counting on them.
5 The actual date that it is due by law is
6 April 1.

7 MR. BRODEL: And there will be no
8 preliminary figures out, I understand.

9 MR. HUMPHRIES: No, nothing official.

10 MR. CRANE: No.

11 MR. BRODEL: That is right.

12 MR. HUMPHRIES: I mean, whether it --
13 the December 31 numbers are for
14 Congressional redistricting purposes, that
15 is the reason that -- it is the numbers that
16 they send to the president to determine the
17 number of Congressional districts in each
18 state.

19 MR. BRODEL: That is what they told me,
20 that there would be no figures released
21 until the president approved them.

22 MR. HUMPHRIES: That is right. Anybody
23 else?

24 MR. BRYANT: I am Larry Bryant from
25 Forrest City. On these prisons that are in

1 different towns, I have read about Pine
2 Bluff and so forth, the increase in the
3 population, how will that fit into the
4 equation on the redistricting?

5 MR. HUMPHRIES: Well, in '91, prison
6 populations were included in the legislative
7 districts. And the reason for that was
8 because we were following case law, not in
9 this jurisdiction, not in Arkansas, but in
10 other jurisdictions. With the explosion of
11 the prison population in the '90s, that is
12 something that we are going to look at fresh
13 again. And you know, if anybody has an
14 opinion one way or the other on that, I
15 would sure like to hear it. But you know,
16 we are going to be looking at the case law
17 again, there is nothing real firm.

18 In some instances, you can exclude
19 certain populations like that. But the
20 courts had previously -- before the '91
21 redistricting had previously upheld leaving
22 those populations in there. So, we are sort
23 of up in the air about that now, too. That
24 is something that you can follow our web
25 page on. I think as decisions are made, we

1 will probably be posting that sort of
2 information on our web page.

3 MR. CRANE: One of the things that we do
4 have on the website that is, I think, very
5 good is a section that has a discussion of
6 all of the various court cases that have
7 come down and have impacted this process
8 over the last -- over the last 30 years, I
9 guess.

10 MR. HUMPHRIES: Right, right.

11 MR. CRANE: But there is a whole section
12 on the law and there is a whole section on
13 the process itself, and there is a section
14 on Arkansas' specific laws pertain to the
15 process. So, if you will look there, you
16 can get a lot more detail on the process
17 than we can possibly give you today sitting
18 here trying to answer your questions.

19 MR. BRODEL: I am Hubert Brodel. Let me
20 ask a question. Why would you want to --
21 why would anybody want to -- why would we
22 want toy with the figures on anything? If
23 that is the count, why would we even look at
24 changing any counts whatsoever or taking
25 them out?

1 MR. HUMPHRIES: Well, the reason they
2 are considering doing an adjusted count, and
3 the reason they are going to do the adjusted
4 count is because they know the, quote,
5 "actual" count is not accurate.

6 MR. BRODEL: No, I am not talking about
7 that.

8 MR. HUMPHRIES: Okay.

9 MR. BRODEL: What I am asking you is, am
10 I hearing you say, though, that if -- let's
11 say that "XYZ" County comes down with 70,000
12 people, are you going to -- is that going to
13 be the established count that is going to be
14 used, or are they going to be looking into
15 it and looking around to take some of those
16 people out or move them around?

17 MR. HUMPHRIES: We are going to be
18 looking at the precinct level, for the most
19 part. Okay? We are not going to move any
20 -- you can't move anybody around, you can --

21 MR. BRODEL: No, I don't mean -- moving
22 them out of the count.

23 MR. HUMPHRIES: Right.

24 MR. BRODEL: Is it going to be -- are
25 you going to use the total 70,000 and forget

1 about anything else other than moving them
2 into precincts?
3 MR. SHEFFIELD: No.
4 MR. HUMPHRIES: Oh, no, sir. We are
5 going to use all sorts of data, conceivably
6 right down to the census block.
7 MR. BRODEL: No, I don't mean that.
8 MR. HUMPHRIES: Okay.
9 MR. BRODEL: What I am asking you is, if
10 the count comes back and a county has got
11 70,000 people?
12 MR. HUMPHRIES: Right.
13 MR. BRODEL: However you break it down
14 in that county, is the county going to still
15 remain, as far as your reapportionment,
16 going to be 70,000 people?
17 MR. CRANE: The only question is going
18 to be whether we use the adjusted numbers or
19 actual numbers.
20 MR. SHEFFIELD: Adjusted or actual
21 numbers.
22 MR. CRANE: Once that decision is made,
23 in any particular county, you will have a
24 number.
25 MR. BRODEL: And that will be standard

1 across the state?

2 MR. CRANE: Yes.

3 MR. BRODEL: And there won't be --

4 MR. CRANE: And it will be standard

5 across the state.

6 MR. BRODEL: And there won't be -- in

7 other words, whether you use gross or

8 adjusted, that is going to be it?

9 MR. CRANE: That is right. One decision

10 applies --

11 MR. BRODEL: And nobody is going to be

12 looked at and pulled out?

13 MR. CRANE: One decision applies to

14 everybody in the State of Arkansas.

15 MR. BRODEL: Okay.

16 MR. HUMPHRIES: Craighead County has got

17 77,000 people in it according to the

18 adjusted count, or 76,000 people according

19 to the actual account, and we decided to go

20 with the adjusted count. There is going to

21 be 77,000 people, and that is the same -- it

22 is going to be the same for Arkansas County

23 and Bradley County, and right on down the

24 line.

25 MR. BRODEL: I understand that.

1 MR. HUMPHRIES: Yes, sir?

2 MR. DUNCAN: My name is Elliott Duncan,
3 Mayor of Bono. And we are on the, I guess,
4 western edge of Craighead County. And what
5 we have got is -- the Senate district is
6 over in Paragould, we are in Paragould,
7 which we are okay right now, because we have
8 got a real good Senator. But it will change
9 down the road. So, like Brooklyn, they are
10 represented by Jerry Biggs over in
11 Paragould, and it looks like it would be
12 better if we had a Representative in
13 Craighead County.

14 MR. HUMPHRIES: You are in this little
15 northwest corner of Craighead County, up
16 here?

17 MR. DUNCAN: Right.

18 MR. HUMPHRIES: Well, of course, the
19 reason for that, it looks like Craighead
20 County is all in one Senate district, except
21 for that little corner, and the reason for
22 that has to be that Craighead County was too
23 big to be a Senate district, all in and of
24 itself last time. It is projected this time
25 at 77,000, the average district size is

1 going to be around 72,000. So, you can
2 count on the fact that Craighead is not
3 going to be kept complete within the Senate
4 district this time, either. I mean, there
5 is going to have to be some part of it that
6 goes into another Senate district.

7 MR. DUNCAN: That is just --

8 MR. BRODEL: That brings up another
9 question, then. What if -- I am Hubert
10 Brodel. Our turn-back from the state, and
11 the way the tax dollars are spent, is it
12 going to be on adjusted, or is it going to
13 be regardless of what you -- or what the
14 reapportionment does, or is it going to be
15 on the gross?

16 MR. HUMPHRIES: If they issue adjusted
17 numbers, and I was making that decision, I
18 would want to do it based on adjusted
19 numbers, because everybody else is going to
20 do that, and that is going to be a higher
21 count than the actual count. So, I would
22 think that it would be based on adjusted
23 numbers. That is assuming that --

24 MR. BRODEL: I was wondering about if it
25 depended how much adjustment was in my county.

1 MR. HUMPHRIES: Right.

2 MR. CRANE: I think that every county,
3 whether they were for it or against it, they
4 would make it based on that, too.

5 MR. BRODEL: You do?

6 MR. CRANE: Yes. You know, we run into
7 that with school districts, and when they
8 run through the formula, everybody just
9 looks at what the printout says on what
10 happens to their school district, whether
11 you are for it or against it.

12 MR. HAWKINS: Jeff Hawkins, again. I
13 think that issue -- of course, that is a
14 little bit past the purpose here. But I
15 tend to disagree about -- you know, there is
16 winners and losers, because it is all a
17 matter of ratio, and the pot is only so much
18 in turn-back funds. So, there are some
19 states -- some parts of the state is going
20 to gain by using adjusted numbers, others,
21 if they gain, there is going to be losers.
22 So, I think that is something that probably
23 needs to be addressed in the legislature,
24 one way or the other.

25 MR. BRODEL: I think so, too.

1 MR. HAWKINS: Because even among
2 distribution of ratios on population for
3 sales tax within your own county can be
4 affected. You could take Pine Bluff and
5 White Hall, for instance, the demographics
6 are different. An adjustment would help
7 Pine Bluff and hurt White Hall. So, it gets
8 pretty complicated.

9 I would like to say that I hope you
10 stick with using the precinct as the
11 building blocks. That is going to be a big
12 change from the last apportionment, and it
13 is going to be tremendously helpful at the
14 local level, in doing their work at the
15 local level.

16 MR. HUMPHRIES: Anybody else? Anybody
17 else have anything to say about the
18 multimember districts here in Jonesboro?
19 Again, that is something that we are
20 particularly interested in.

21 MR. HAWKINS: I am sitting too close to
22 him.

23 MR. ALLISON: State Representative
24 Allison. You know, it is a concern, you
25 know, but when you -- but one thing you have

1 got to look at, too, is that when you have
2 got this many people concentrated in a small
3 area -- you know, like some of my friends,
4 their districts are 105 miles long, and
5 about, you know, 40 or 60 miles wide. And
6 where my district is probably, top to
7 bottom, ten miles by ten miles, if it is
8 even that big, you know, it is hard to the
9 divide up a ten mile by ten mile area, I
10 mean, really, when you get into this area
11 and a city this size.

12 But I just -- it is a concern, you know,
13 where you end up having like three people
14 running in a multimember district. And two
15 is really not that difficult, even though it
16 does cost quite a bit more money to run for
17 that. But I know that one of my friends,
18 Mack McGehee, who is deceased now, was the
19 State Representative over in Fort Smith,
20 spent something like \$86,000.00 on a House
21 of Representatives race, which was, you
22 know, almost unheard of. But we have --
23 even in this district right here, you know,
24 House races have gone as high as in your
25 \$50,000.00 range?

1 UNIDENTIFIED MAN: \$60,000.00 range.
2 MR. ALLISON: \$60,000.00 range. So, it
3 is a concern, it really is a concern. But
4 it would be something there that we would
5 have to figure out a way to be able to
6 control that. But it is very expensive to
7 run a House race in the multimember
8 districts.
9 MR. HUMPHRIES: Anybody else have
10 anything they want to add?
11 (No response.)
12 MR. HUMPHRIES: What is the best way to
13 get to Batesville from here?
14 UNIDENTIFIED MAN: Oh, you get a map,
15 and we are going to get you there.
16 MR. HUMPHRIES: Okay.
17 MR. CRANE: Now, one last thing. Is
18 there anybody that didn't get signed up on
19 the list of attendees? If so, we would
20 appreciate it if you would come sign in.
21 And with that, the meeting will be
22 adjourned.

1 (WHEREUPON, at 10:41 a.m., the
2 proceedings were concluded.)
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SIGN-IN SHEET.

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.:
COUNTY OF PULASKI)

I, DONNA KAYE PETRE, Certified Court Reporter and notary public in and for the County of Pulaski, State of Arkansas, duly commissioned and acting, do hereby certify that the above-entitled proceedings were taken by me in Stenotype, and were thereafter reduced to print by means of computer-assisted transcription, and the same truly, and correctly reflects the proceedings had.

WHEREFORE, I have subscribed my signature and affixed my notarial seal as such notary public at the City of Little Rock, County of Pulaski, State of Arkansas, this the 1st day of December, 2000.

DONNA KAYE PETRE, CCR
NOTARY PUBLIC IN AND FOR
PULASKI COUNTY, ARKANSAS
LS CERTIFICATE #125

My Commission Expires:
August 4, 2010.

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